

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

THOMAS FARANO,

Plaintiff,

v.

ASSURED SOLUTIONS INTERNATIONAL,
LLC, et al.,

Defendants.

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CIVIL ACTION NO. 06-3389 (MLC)

MEMORANDUM OPINION

THE PLAINTIFF having filed a complaint on July 26, 2006, and an amended complaint on December 5, 2006 (dkt. entry nos. 1 & 6);¹ and the plaintiff submitting to the Court a letter – which is dated June 25, 2007, and was received on June 29, 2007 – “advis[ing] that we have been attempting to serve the Defendants with process but, unfortunately, have not had success”, and “request[ing] that [the Court] provide us with additional time so that we may continue our efforts” (Pl. Letter); and the Court noting that the letter was not electronically filed; and

THE PLAINTIFF HAVING FAILED to serve the defendants within 120 days after filing the amended complaint, see Fed.R.Civ.P. 4(m); and it appearing that this action has been pending for a year; and the Court thus advising the plaintiff of the intention

¹ The plaintiff filed an amended complaint at the direction of the Court, as the original complaint failed to properly assert jurisdiction. (See dkt. entry no. 2, 7-31-06 Order to Show Cause; dkt. entry nos. 4-5, 11-27-06 Mem. Op. & Order.)

to dismiss the complaint unless the plaintiff complied with Federal Rule of Civil Procedure ("Rule") 4(m) by August 24, 2007 ("July Order") (dkt. entry no. 7, 7-24-07 Order), see Sykes v. Blockbuster Video, 205 Fed.Appx. 961, 963-64 (3d Cir. 2006); and the Court thus notifying the plaintiff of the intention to dismiss the complaint, see Liu v. Oriental Buffet, 134 Fed.Appx. 544, 546 (3d Cir. 2005); and the Court advising the plaintiff that no further enlargements of time would be granted to comply with Rule 4(m), even with the consent of all parties, barring extraordinary circumstances (7-24-07 Order); and

IT APPEARING that the deadline to comply with the July Order elapsed two months ago; and it appearing that the plaintiff has failed to either file an electronic response or otherwise comply with the July Order; and the Court thus intending to dismiss the complaint pursuant to Rule 4(m); and for good cause appearing, the Court will issue an appropriate order and judgment.

s/ Mary L. Cooper
MARY L. COOPER
United States District Judge

Dated: October 29, 2007